

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

CARY GAGAN,	)	
	)	
Petitioner,	)	
	)	
vs.	)	NO. CIV-08-0001-HE
	)	
FRED FIGUEROA,	)	
	)	
Defendant.	)	

**ORDER**

Petitioner Cary Gagan, a federal and Colorado state prisoner appearing *pro se*, filed this action pursuant to 28 U.S.C. § 2241 seeking a writ of habeas corpus. Consistent with 28 U.S.C. § 636(b)(1)(B), the matter was referred to Magistrate Judge Doyle W. Argo, who recommends that the petition be denied.

Petitioner has filed a four-part objection, but fails therein to make any specific objections to the Report and Recommendation.<sup>1</sup> Instead, he reurges the same arguments presented to the Magistrate Judge. After a *de novo* review, the court finds that petitioner has failed to established a basis for habeas relief. Having failed to make specific objections to the Report and Recommendation, petitioner has waived further review of the issues contained therein. See United States v. 2121 East 30th Street, 73 F.3d 1057, 1059-60 (10th Cir. 1996).


---

<sup>1</sup>*Petitioner's objection and accompanying exhibits total 196 pages. Because petitioner is proceeding pro se, his pleadings are liberally construed. See Trackwell v. United States*, 472 F.3d 1242, 1243 (10th Cir. 2007).

Accordingly, the court **ADOPTS** the Report and Recommendation [Doc. # 14] and **DENIES** the petition for writ of habeas corpus. Petitioner's motions for release on personal recognizance [Doc. #11] and for a protective order [Doc. #38] are **DENIED**. Petitioner's motion for an order to proceed [Doc. #37] is **STRICKEN** as moot.

**IT IS SO ORDERED.**

Dated this 11th day of December, 2008.



---

JOE HEATON  
UNITED STATES DISTRICT JUDGE